

**(2014) 09 DEL CK 0135**

**Delhi High Court**

**Case No:** W.P. (C). 5912/2014 and CM APPL. 14490/2014

Shiv Mehra

APPELLANT

Vs

University of Delhi

RESPONDENT

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**Date of Decision:** Sept. 15, 2014

**Hon'ble Judges:** Manmohan, J

**Bench:** Single Bench

**Advocate:** Lalit Bhasin, Ranjan Jha and Bhavna, Advocate for the Appellant; Mohinder Jit Singh Rupal, Yanmi Phazang and Beenashaw N. Soni, Advocate for the Respondent

**Final Decision:** Disposed Off

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### Judgement

@JUDGMENTTAG-ORDER

Manmohan, J.

Present writ petition has been filed seeking admission of petitioner in B.Com. (H) under sports quota in Hindu College for Academic Session 2014-2015.

2. It is the case of the petitioner that after conducting his sports trial, he was declared successful but he was denied admission on the ground of late submission of GCE result of 12th Class from a UAE School and subsequent inaction of respondent-University in not granting approval sought by respondent No. 2-College.

3. Mr. Lalit Bhasin, learned counsel for petitioner states that petitioner had handed over copy of his mark-sheets to the respondent No. 2-College on 19th August, 2014 and in turn respondent No. 2-College had sought approval from the respondent No. 1-University on the same day.

4. Mr. Mohinder Jit Singh Rupal, learned counsel for respondent No. 1-University of Delhi states that respondent No. 2-college should not have accepted the petitioner's application form for admission as till the date of filling up the forms, petitioner's result had not been declared. He, however, states that since respondent No. 2-college had led the petitioner to believe/presume that he was entitled for

admission, respondent No. 1-University would leave the decision to the Court, but would request that it should not be treated as precedent.

5. Ms. Beenashaw N. Soni, learned counsel for respondent No. 2-college, on instructions of Principal of the College, states that admission in Sports category are made by Sports Admission Committee constituted as per Delhi University Guidelines. She states that the Sports Guidelines for Undergraduate Courses of Delhi University do not provide that students whose results are awaited cannot appear for sports trial. In these circumstances, according to her, respondent No. 2-college had allowed the petitioner to give sports trial. She also states that as a seat is available in B.Com. (H) Course, respondent No. 2-college has no objection if petitioner is granted admission.

6. Mr. Rupal, learned counsel for respondent No. 1-University of Delhi states that the process adopted by respondent No. 2-college is contrary to the University Guidelines and the Admission form.

7. Having heard the parties, this Court is of the view that since the petitioner has played ICC under 19 Cricket World Cup 2014 and respondent No. 2-college had conveyed to the petitioner that his case has been recommended for admission under the sports quota, the respondent-College on the peculiar facts of the present case is directed to grant admission to the petitioner in accordance with prayer "a" provided petitioner complies with all admission formalities. The issue of law is left open.

8. At the cost of repetition, it is clarified that the admission is granted to the petitioner only because respondent-College had recommended the petitioner's case for admission in July, 2014 and had conveyed an impression to petitioner that he would be granted admission. Consequently, this order shall not be treated as a precedent.

9. With the aforesaid observations, present petition and application stand disposed of.